

MARK S. POSARD (SBN 208790)  
mposard@gordonrees.com  
SUSAN B. MEYER (SBN 204931)  
smeyer@gordonrees.com  
GORDON REES SCULLY MANSUKHANI, LLP  
1111 Broadway, Suite 1700  
Oakland, CA 94607  
Telephone: (510) 463-8600  
Facsimile: (510) 984-1721

MICHAEL D. KANACH (SBN 271215)  
mkanach@gordonrees.com  
GORDON REES SCULLY MANSUKHANI, LLP  
275 Battery Street, Suite 2000  
San Francisco, CA 94111  
Telephone: (415) 986-5900  
Facsimile: (415) 986-8054

Attorneys for Plaintiff,  
VACC, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

VACC, INC., a California Corporation

Plaintiff,

vs.

JON BYRON DAVIS (aka J. Byron Davis),  
an individual,

Defendant.

CASE NO. 3:16-cv-01350-JCS

**STIPULATION TO EXTEND THE  
DEADLINE FOR MEDIATION AND  
OTHER DEADLINES SET FORTH IN THE  
COURT'S SCHEDULING ORDER**

Complaint Filed: March 18, 2016

Trial Date: None Assigned

1 Pursuant to Local Rule 6-2 and 6-1(b) Plaintiff VACC, Inc. and Defendant, Jon Byron  
2 Davis, by and through their counsel of record, hereby stipulate to extend the deadline for  
3 mediation and related deadlines, which modifies the deadlines set forth in ECF 27 and 30.

4 WHEREAS, the parties stipulate to extend the deadline for mediation from September 13,  
5 2016 (as stipulated to in the ECF 30), to **September 29, 2016**.

6 WHEREAS, the parties have scheduled mediation to occur on September 29, 2016, with  
7 Catherine Yanni of JAMS.

8 WHEREAS, the parties' counsel have also scheduled a call with Catherine Yanni on  
9 September 6, 2016, to discuss whether the parties can come to an agreement for purposes of  
10 sharing information for mediation when the documents are properly designated "Highly  
11 Confidential Attorneys Eyes Only" by the other party pursuant to the Protective Order.

12 WHEREAS, the parties further stipulate to extend the following dates from the Court's  
13 Scheduling Order (ECF 27), to be consistent with the extension of the mediation date:

- 14 • The parties further stipulate to extend the deadline for Plaintiff to file an amended  
15 complaint for two weeks to **September 15, 2016**.
- 16 • The parties stipulate to extend the deadline for Defendant file a responsive  
17 pleading to the amended complaint for two weeks to **October 15, 2016**.
- 18 • The parties further stipulate to reschedule the Further Case Management  
19 Conference to **October 14, 2016, at 2:00 pm**, so it occurs after the scheduled  
20 mediation, rather than before.
- 21 • The parties further stipulate to submit a Further Case Management Conference  
22 Statement on or by **October 7, 2016**.

23 WHEREAS, the parties stipulate to the foregoing extensions.

24 WHEREAS, the parties have engaged in early discovery, in preparation for early  
25 mediation, pursuant to ECF 27;

26 WHEREAS, the extensions of time are modified to be consistent with the Court's previous  
27 scheduling order, set forth after the Initial Case Management Conference;

1 WHEREAS, consistent with the reasoning behind the schedule set forth in the Scheduling  
2 Order (ECF 27), the extensions of time will assist the parties in engaging in mediation without  
3 additional costs;

4 WHEREAS, the only previous extension in this case was for the Defendant to answer the  
5 Complaint, which was further extended at the Initial Case Management Conference; and

6 WHEREAS, the foregoing extensions of time will not alter the date of any other event or  
7 any deadline already fixed by Court order.

8  
9 Dated: September 1, 2016

GORDON REES SCULLY MANSUKHANI, LLP

10 By: /s/ Michael Kanach

11 Mark S. Posard  
12 Susan B. Meyer  
13 Michael D. Kanach  
Attorneys for Plaintiff  
VACC, INC

14 Dated: September 1, 2016

AD ASTRA LAW GROUP, LLP

15  
16 By: /s/ Herman Hoying

17 David Nied  
18 Herman J. Hoying  
Attorneys For Defendant  
JON BYRON DAVIS

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The mediation deadline is **September 29, 2016**.

Plaintiff shall file their amended complaint by **September 15, 2016**.

Any responsive pleading to the amended complaint shall be due by **October 15, 2016**.

An updated joint case management conference statement shall be due by **October 7, 2016**.

A further case management conference is set for **October 14, 2016**, at 2:00 PM.

DATED: September 2, 2016

  
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Honorable Joseph C. Spero.  
United States Chief Magistrate Judge